

03-25-04

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Date of Deposit: March 24, 2004



Attorney Docket No: 18242-508 CIP2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Chapman *et al.*

U.S. SERIAL NO: 10/055,143

Examiner: Not Yet Assigned

FILING DATE: January 22, 2002

Art Unit: 1644

FOR: METHOD FOR PURIFYING A BIOLOGICAL COMPOSITION

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL LETTER**

Transmitted herewith for filing in the above-identified application are the following documents:

1. Petition to Correct Inventorship (1 pg.);
2. Statement of Facts Verified by Etienne Pages in Support of Petition to Add Names of Inventors of Invention Originally Disclosed and Now Being Claimed (37 C.F.R. §1.48(a)(1) (1 pg.);
3. Executed Combined Declaration and Power (3 pgs.);
4. Assent of Assignee to Correction And/or Addition of Inventors (1 pg.)
5. Petition Fee (\$130.00); and
6. Return Postcard.

Applicants believe that the appropriate fees due in connection with this submission are provided herewith. However, the Commissioner is authorized to credit any overpayment or charge any deficiencies to Deposit Account No. 50-0311, Reference No. 18242-508 CIP2. If the enclosed papers are considered incomplete, the Mail Room is respectfully requested to contact the undersigned collect at (617) 542-6000, Boston, Massachusetts.

Respectfully submitted,

Ivor R. Elffi, Reg. No. 39,529

David E. Johnson, Reg. No. 41,874

MINTZ, LEVIN, COHN, FERRIS,  
GLOVSKY and POPEO, P.C.

One Financial Center

Boston, Massachusetts 02111

Tel: (617) 542-6000

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Customer No. 30623

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P. O. Box 1450  
Alexandria, VA 22313-1450

**PETITION FOR CORRECTION OF INVENTORSHIP**

Pursuant to 37 C.F.R. §§1.48(a), Applicants hereby petition for a correction of inventorship of the above-identified application. The application was filed with John Chapman, Andrei Purmal and James Hope as inventors. The correct inventors are John Chapman, Andrei Purmal, James Hope and Etienne Pages.

Applicants hereby petition under 37 C.F.R. §1.48(a) to add Etienne Pages as an inventor.

Enclosed is a statement from Etienne Pages stating that the inventorship error occurred without deceptive intention on the part of the omitted inventor. Also enclosed is a check in the amount of \$130.00 as set forth in 37 C.F.R. §1.17(i). A Declaration/Power of Attorney signed by all the properly named inventors is enclosed.

Please charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, (Reference No. 18242-508 CIP2). A duplicate copy of this Petition is enclosed.

Respectfully submitted,

Ivor R. Elmfi, Reg. No. 39,579  
David E. Johnson, Reg. No. 41,874  
MINTZ, LEVIN, COHN, FERRIS,  
GLOVSKY and POPEO, P.C.  
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Boston, Massachusetts 02111  
Tel: (617) 542-6000  
Fax: (617) 542-2241

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03/26/2004 WRBDELRI 000000020 10055143

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Dated: March 24, 2004



Practitioner's Docket No. 18242-508CIP2

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

application of: John Chapman, Andrei Purmal and James Hope

Application No.: 10/055,143

Group No.: 1644

Filed: January 22, 2002

Examiner: Not Assigned

For: Method for Purifying a Biological Composition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**STATEMENT OF FACTS VERIFIED BY ETIENNE PAGES IN SUPPORT OF  
PETITION TO ADD NAMES OF INVENTORS OF INVENTION ORIGINALLY  
DISCLOSED AND NOW BEING CLAIMED (37 C.F.R. § 1.48(a)(1))**

Dear Sir:

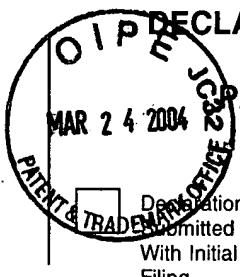
I, Etienne Pages, hereby declare as follows.

1. I, Etienne Pages, am a co-inventor on one or more claims in the above-referenced patent application (the "Application"), filed on January 22, 2002.
2. The inventorship error created by the filing of the application occurred without deceptive intention on my part.
3. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Codes, and that such willful statements may jeopardize the validity of the Patent.

Date: 18 June 03  
01611/00001 256586.1

Etienne Pages

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.


**DECLARATION FOR UTILITY OR  
DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**
**OR**
 Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Docket Number	18242-508CIP2
First Named Inventor	John Chapman
<b>COMPLETE IF KNOWN</b>	
Application Number	10/055,143
Filing Date	January 22, 2002
Art Unit	1644
Examiner Name	Not Assigned

**I hereby declare that:**

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Method for Purifying a Biological Composition

(Title of the Invention)

the specification of which

 is attached hereto
**OR**
 was filed on (MM/DD/YYYY) 01/22/2002 as United States Application Number or PCT International
Application Number 10/055,143 and was amended on (MM/DD/YYYY) 08/12/2002 (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached? Yes	Certified Copy Attached? No
60/263,417	US	01/22/2001	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
09/827,491	US	04/06/2001	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
09/945,979	US	09/04/2001	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

 Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

This collection of information is required by 37 CFR 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

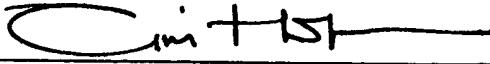
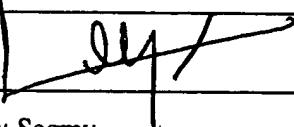
If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**DECLARATION — Utility or Design Patent Application**

Direct all correspondence to: <input checked="" type="checkbox"/> Customer Number <span style="border: 1px solid black; padding: 2px;">30623</span> OR <input type="checkbox"/> Correspondence address below			
Name			
Address			
City		State ZIP	
Country		Telephone	Fax
<p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p>			
NAME OF SOLE OR FIRST INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])  <i>John</i>		Family Name or Surname Chapman	
Inventor's Signature		Date 2/12/04	
Residence: City Newton	State MA	Country US	Citizenship US
Mailing Address 77 Beaconwood Road, Apt. #22			
City Newton	State MA	ZIP 02461-1138	Country US
NAME OF SECOND INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])  <i>Andrei</i>		Family Name or Surname Purmal	
Inventor's Signature		Date 02/12/04	
Residence: City Waltham	State MA	Country US	Citizenship US
Mailing Address 58 Jacqueline Road, #9			
City Waltham	State MA	ZIP 02452	Country US
<input checked="" type="checkbox"/> Additional inventors or a legal representative are being named on the <u>1</u> supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.			

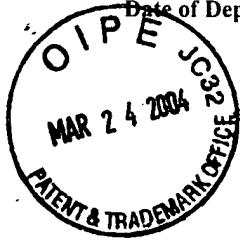
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**DECLARATION****ADDITIONAL INVENTOR(S)**  
Supplemental SheetPage 1 of 1

<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
James		Hope	
Inventor's Signature			Date <u>02/24/04</u>
Residence: City Newtonville	State MA	Country US	Citizenship United Kingdom
Mailing Address 55 Farwell Street, #19			
Mailing Address			
City Newtonville	State MA	Zip 02460	Country US
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Etienne		Pages	
Inventor's Signature 			
Residence: City Segmy	State	Country FR	Citizenship France
Mailing Address 594 Chemin des Landes			
Mailing Address			
City Segmy	State	Zip 01170	Country FR
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Inventor's Signature	Date		
Residence: City	State	Country	Citizenship
Mailing Address			
Mailing Address			
City	State	Zip	Country

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



PATENT APPLICATION  
Practitioner's Docket No. 18242-508CIP2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Chapman et al.  
Assignee: V.I. Technologies, Inc.  
Serial No.: 10/055,143 Group No.: 1644  
Filed: September 4, 2001 Examiner: Not Yet Assigned  
For: Method for Purifying a Biological Composition

Assistant Commissioner for Patents  
Washington, D.C. 20231

ASSENT OF ASSIGNEE TO CORRECTION  
AND/OR ADDITION OF INVENTOR(S)

V.I. Technologies, Inc., whose address is 134 Coolidge Avenue, Watertown, MA, 01472, being the Assignee of record via an Assignment recorded on July 11, 2002 at Reel 013078/Frame 0689, does hereby assent to the correction of inventorship filed herewith.

The undersigned is authorized to act on behalf of the Assignee.

Respectfully submitted,

Ivor R. Elmfl, Reg. No. 39,529  
David E. Johnson, Reg. No. 41,874  
MINTZ, LEVIN, COHN, FERRIS,  
GLOVSKY and POPEO, P.C.  
One Financial Center  
Boston, Massachusetts 02111  
Tel: (617) 542-6000  
Fax: (617) 542-2241  
Customer No. 30623

Dated: March 24, 2004

TRADOCS:1248110.1(QR1Q01!.DOC)

TRA 1901133v1

(Assent of Assignee to correction and/or Addition of Inventor(s)) Xpage 2 of 2